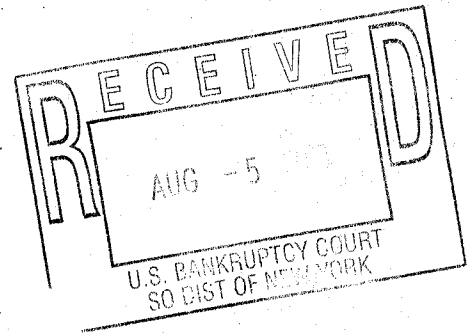


1 Mark Ragonese
2 In pro per
3 1929 N. Pepper St
4 Burbank, CA 91505
5 (818) 945-0874



6 **UNITED STATES BANKRUPTCY COURT**
7 **CENTRAL DISTRICT OF NEW YORK**

9 In re:
10 RESIDENTIAL CAPITAL, LLC, et al.

) Case No. 12-12020(MG)
) Chapter 13

) **CREDITOR MARK RAGONESE'**
) **RESPONSE TO DEBTOR'S TWENTIETH**
) **OMNIBUS OBJECTION TO CLAIMS**

) **Hearing:**

) Date: August 21, 2013

) Time: 10:00 a.m.

) Place: Courtroom 501

) One Bowling Green, new York, New York

16
17
18
19 **TO THE COURT AND ALL INTERESTED PARTIES,** I Mark Ragonese as a
20 creditor in this action, hereby submit my ~~Response~~ to Debtor's Twentieth Omnibus Objection to
21 Claims.

22 On November 6, 2012, I mailed my **Proof** Of Claim in this action, which was received by
23 the Court and file stamped November 13, 2012. On July 3, 2013, Debtor RESIDENTIAL
24 CAPITAL, LLC., (RESIDENTIAL) filed its Twentieth Omnibus Objection to Claims, as to
25 Borrowers' Claims with Insufficient Documentation, I was one of the named creditors in its
26 Objection to Claims.

27 I hereby request that the Court not ~~disallow~~ my claim.
28

1 STATEMENT OF FACTS

2
3 1. I had been a customer of GMAC Mortgage (Account/Loan No.: 0590530705) for
4 over 20 years, when in March of 2009, I learned of the President's announcement of the
5 Government's Home Affordable Refinance Program (HARP). I am on a disability fixed income,
6 and believed that the program would significantly help my financial situation. I reviewed the
7 eligibility requirements and determined that I easily qualified for the program.

8 2. I immediately submitted my application/modification package, this was in
9 approximately May of 2009. After several month I was informed by a representative of GMAC
10 that I did not qualify for the HARP program. The representative's response did not appear to
11 comport with the stated eligibility requirements of the program, so I asked that my application be
12 review by a GMAC supervisor. Upon this review, I was again denied modification under the
13 HARP program and told I did not qualify. Again, I fully believed that I did in fact meet all the
14 eligibility requirements for inclusion in the HARP program.

15 3. Because GMAC denied my application, for the past 4 year and 4 months, I have
16 been paying a significantly higher monthly mortgage payment from what I would have been
17 entitled to under HARP. This fact was further established when GMAC transferred my loan to
18 Green Tree (Account/Loan No.: 6256065388).

19 4. Shortly after my loan was transferred to Green Tree, I was informed by one of its
20 representatives that I did qualify for a loan modification under the HARP program. Green Tree
21 then immediately lowered the interest rate on my mortgage from 6.25% to approximately 3%.
22 This reduction in interest will result in a reduction of my monthly mortgage payments from
23 \$992.04, to \$750.80; a monthly savings of \$241.24. My new monthly payment began this month,
24 (August, 2013). Please see GMAC monthly mortgage statement, attached hereto as Exhibit 1;
25 and Green Tree monthly mortgage statement, attached hereto as Exhibit 2.

26 5. GMAC's improper denial of my loan modification has resulted in my having
27 to pay at least \$12,544.48 more than I should have over the last 4 years and 4 month.

28 6. To date I have been unable to locate the letters from GMAC documenting its
denial of my loan application/modification under the HARP program, but I am continuing to

1 search my records and will provide copies to the Court and interested parties once I have found
2 them. Copies should be available to Debtor from its own records.

3 **CONCLUSION**

4 Based upon the above, I respectfully request that the Court not disallow my claim

5
6 Dated: August 2, 2013

7 Mark Ragonese
Mark Ragonese